

**RECEIVED  
CENTRAL FAX CENTER**

**SEP 12 2008**

**F A X**

William L. Botjer Esq.  
PO Box 478  
Center Moriches NY 11934  
**631 874 4826**

---

To: **USPTO AU 2194**

Fax number: **571 273 8300**

From: William L. Botjer Esq.

Fax number: 781 846 8354

Business phone: 631 874 4826

Home phone:

Date & Time: **9/12/2008 10:39 PM**

Pages: **27**

Re: **Amendment in SN 10/804,889**

---

**RECEIVED  
CENTRAL FAX CENTER**

**SEP 12 2008**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: **Dumm, et al**

Serial No: **10/804,889**

Group Art Unit: **2194**

Filed: **03/19/2004**

Examiner: **ZHEN, LIB**

Attorney Docket No: **BCP- 001**

Confirmation Number: **8180**

Honorable Commissioner of Patents and Trademarks

Alexandria, VA 22313-1450

Sir:


Please enter the following amendment:

---

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited this date with the US Postal Service as first-class mail in an envelope addressed as below, or being facsimile transmitted to the USPTO at 571 273 8300, on the date set forth below.

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

By   
(Signature)

On: September 12, 2008

#### A. Introductory Comments

Based on the amendments and remarks that follow, reconsideration of this application and entry of this amendment is respectfully requested.

This amendment is in response to the Office action dated May 13, 2008. It is requested that Deposit Account No. 502158 be charged for any fee required for the entry of this amendment. When filed, this patent application contained 5 independent claims and 20 total claims. After this amendment, this application contains 5 independent claims and 15 total claims. Accordingly, it is believed that no additional claim fee is due.

In this Office action, claims 15 and 19 are objected to because of the informalities of a semicolon and a period. Further, the specification is objected to, since it fails to provide antecedent basis for the term "computer usable medium". Claims 10-14 and claims 19-20 are rejected under 35 U.S.C. 112 as being indefinite to particularly point out and distinctly claim the subject matter. Claims 10-20 are rejected under 35 U.S.C. 101, since the claimed invention is directed to non-statutory subject matter. Furthermore, claims 1-20 are rejected under 35 U.S.C 103(a) as being unpatentable over U.S. patent application publication no. 20050138557 A1 assigned to Bolder, et al (hereinafter referred to as "Bolder") and in view of U.S. patent No. 7, 113, 989 assigned to Murray, et al (hereinafter referred to as "Murray").

In response to the rejections and objections cited above, claims 3, 6, 9, 13 and 18 have been cancelled without any prejudice or disclaimer. Further, claims 1-2, 4-5, 7-8, 10-12, 14-17, and 19-20 have been amended. Furthermore, the specification has been amended.